

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

OMAR RASHAD POUNCY,

Petitioner,

Case No. 13-cv-14695
Hon. Matthew F. Leitman

v.

CARMEN D. PALMER,

Respondent.

ORDER DIRECTING DISCLOSURE OF WITNESSES
AND EXHIBITS AT EVIDENTIARY HEARING

On January 8, 2020, the Court will be conducting a video evidentiary hearing in connection with Petitioner Omar Pouncy's claim for relief under *Lafler v. Cooper*, 566 U.S. 156 (2012). Both parties will have the opportunity to present witness testimony and to introduce exhibits during the hearing. IT IS HEREBY ORDERED THAT:

1. By not later than **December 21, 2020**, each party shall file on the docket a list of the witnesses that party intends to call at the evidentiary hearing.
2. By not later than **December 29, 2020**, each party shall file on the docket a list of the proposed exhibits that party intends to offer into evidence at the evidentiary hearing. By that same date, each party shall serve a copy of the listed exhibits on the other party. In addition, each party must take whatever steps are

necessary to ensure that a full set of its proposed exhibits is delivered to the Court by not later than **January 6, 2021**, so that the Court has physical copies of all of the proposed exhibits before the hearing.

3. Because all witnesses will be appearing by video, each party shall take whatever steps are necessary prior to the hearing to ensure that its witnesses have the video equipment, software programs and internet access required to participate in the hearing. Counsel for Respondent is directed to work cooperatively with counsel for Pouncy to ensure that the MDOC makes the arrangements necessary for Pouncy (a) to have sufficient confidential access to his attorneys by telephone, prior to the hearing, to reasonably prepare to testify at the hearing and (b) to testify at the hearing.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: December 7, 2020

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on December 7, 2020, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(810) 341-9764